

ORIGINAL



0000034199

OPEN MEETING AGENDA ITEM

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

30 df

COMMISSIONERS

JEFF HATCH-MILLER, Chairman

WILLIAM A. MUNDELL

MARC SPITZER

MIKE GLEASON

KRISTIN K. MAYES

2005 NOV -2 P 3:26

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT ON
BEHALF OF ITSELF AND ARIZONA PUBLIC
SERVICE COMPANY, SANTA CRUZ WATER
AND POWER DISTRICTS ASSOCIATION,
SOUTHWEST TRANSMISSION
COOPERATIVE, INC. AND TUCSON
ELECTRIC POWER IN CONFORMANCE
WITH THE REQUIREMENTS OF ARIZONA
REVISED STATUTES SECTION 40-360, et.
seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF THE
PINAL WEST TO SOUTHEAST
VALLEY/BROWNING PROJECT INCLUDING
THE CONSTRUCTION OF TRANSMISSION
LINES FROM PINAL WEST TO THE
BROWNING SUBSTATION AND OTHER
INTERCONNECTION COMPONENTS IN
PINAL AND MARICOPA COUNTIES,
ARIZONA.

DOCKET NO. L-00000B-04-0126
CASE NO. 126

**NOTICE OF FILING
FORM OF ORDER**

Commission consideration of the request to amend Decision No. 68093 to widen
corridor width is presently set for a Special Open Meeting on November 9, 2005 at 9:00 am.
The Commission's Legal Division hereby submits a sample form of order for the
Commission's convenience when considering the request to amend Decision No. 68093 on
rehearing to widen corridor width for a certain portion of the transmission line in the Florence,
Arizona area.

RESPECTFULLY SUBMITTED this 2nd day of November 2005.

Janice M. Alward

Janice M. Alward

Arizona Corporation Commission

1200 West Washington Street

Phoenix, Arizona 85007

Telephone: (602) 542-3402

Facsimile: (602) 542-4870

1 Pursuant to R14-3-204 the
2 ORIGINAL and twenty-five
3 copies were filed this 2nd day of
4 November 2005 with:

5 Docket Control
6 Arizona Corporation Commission
7 1200 West Washington Street
8 Phoenix, Arizona 85007

9 COPY of the foregoing mailed this
10 2nd day of November 2005, to:

11 Kenneth C. Sundlof, Jr.
12 Jennings, Strouss & Salmon, P.L.C.
13 The Collier Center, Floor 11
14 201 East Washington Street
15 Phoenix, Arizona 85004-2385

16 Laura Raffaelli
17 SRP Legal Services Department
18 Mail Station PAB 207
19 P.O. Box 52025
20 Phoenix, Arizona 85072-2025

21 Kelly J. Barr, Esq.
22 Salt River Project
23 Law Department
24 PAB 221
25 P.O. Box 52025
26 Phoenix, AZ 85072-0221

27 Walter Meek
28 2100 North Central Avenue, Suite 210
P.O. Box 34805
Phoenix, Arizona 85004

Roger K. Ferland
Michelle De Blasi
Quarles & Brady Streich Lang, L.L.P.
One Renaissance Square
Two North Central Avenue
Phoenix, Arizona 85004-2391

Leonard M. Bell
Martin & Bell, L.L.C.
365 East Coronado, Suite 200
Phoenix, Arizona 85004

Lawrence V. Robertson, Jr.
Munger Chadwick, P.L.C.
National Bank Plaza, Suite 300
333 North Wilmot
Tucson, Arizona 85711

David W. West
National Bank Plaza, Suite 300
333 North Wilmot
Tucson, Arizona 85711

Court S. Rich
THE ROSE LAW GROUP, P.C.
7272 East Indian School Road, Suite 360
Scottsdale, Arizona 85251-0001

Karrin Kunasek Taylor
DMB Associates, Inc.
7600 East Doubletree Ranch Road
Scottsdale, AZ 85258

Shelly McTee
Biskind, Hunt & McTee, P.L.C.
11201 North Tatum Boulevard, Suite
330
Phoenix, Arizona 85028

James E. Mannato
Florence Town Attorney
775 North Main Street
P.O. Box 2670
Florence, Arizona 85232

James J. Heiler, Attorney at Law
APCO Worldwide
5800 Kiva Lane
Scottsdale, Arizona 85253

Rodney W. Ott
Bryan Cave, L.L.P.
One Renaissance Square
Two North Central Avenue, Suite 2200
Phoenix, Arizona 85004-4406

George J. Chasse
Casa Grande Mountain Limited
Partnership
5740 East Via Los Ranchos
Paradise Valley, AZ 85253

1 John R. Dacey, Esq.
2 Gammage & Burnham
3 One Renaissance Square
4 Two North Central Avenue, Floor 18
5 Phoenix, AZ 85004

Lynne A. Lagarde, Esq.
Earl, Curley & LaGarde
3101 North Central Avenue, Suite 1000
Phoenix, AZ 85012-2654

6
7 By Lynne A. Lagarde
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT ON
BEHALF OF ITSELF AND ARIZONA PUBLIC
SERVICE COMPANY, SANTA CRUZ WATER
AND POWER DISTRICTS ASSOCIATION,
SOUTHWEST TRANSMISSION
COOPERATIVE, INC. AND TUCSON
ELECTRIC POWER IN CONFORMANCE WITH
THE REQUIREMENTS OF ARIZONA REVISED
STATUTES SECTION 40-360, et. seq., FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF THE PINAL WEST TO
SOUTHEAST VALLEY/BROWNING PROJECT
INCLUDING THE CONSTRUCTION OF
TRANSMISSION LINES FROM PINAL WEST
TO THE BROWNING SUBSTATION AND
OTHER INTERCONNECTION COMPONENTS
IN PINAL AND MARICOPA COUNTIES,
ARIZONA.

Docket No. L-00000B-04-0126-00000

Case No. 126

DECISION NO. _____

**ORDER ON REHEARING OF
DECISION NO. 68093 WIDENING
CORRIDOR WIDTH**

Arizona Commission Decision No. 68093 entered on August 25, 2005 granted Salt River Project Agricultural Improvement and Power District ("SRP") and the above-named applicants, a Certificate of Environmental Compatibility ("CEC") to construct a transmission line beginning at the Pinal West Substation and ending at the Browning Substation, along with related substations, as more fully described in the CEC ("the Project"). After entry of Decision No. 68093, several parties filed requests for rehearing and/or reconsideration for various reasons. The Commission granted none of the requests for rehearing and/or reconsideration, except to grant rehearing for the purpose of further consideration of the matter to expand the corridor width for a certain portion of the Project in the Florence, Arizona area. At its September 28, 2005 Open Meeting, the Commission directed

Decision No. _____

1 parties in support of the expansion of the corridor width at the specific location in the Florence area,
2 to file briefs as to why Decision No. 68093 should be amended to expand the corridor width as
3 requested.

4 **After consideration of the briefs filed and the arguments presented, the Commission**
5 **finds and conclude as follows:**

6 In order to provide flexibility to plan for the future location of the transmission line and to
7 reduce the impact on future residents of the given area, the paragraph beginning at Page 2, Line 21 of
8 Decision No. 68093, is deleted. The deleted paragraph is hereby replaced with the following
9 paragraph to begin at Page 2, Line 21 of Decision No. 68093.

10 **The alignment turns north paralleling Valley Farms Road within a 1,000 foot**
11 **corridor until it reaches a point approximately 10,800 feet south of Node 81/Union**
12 **Pacific Railroad ("UPRR") where it continues north within a corridor that extends**
13 **500 feet on the west side and ½ mile on the east side of the centerline of the**
14 **alignment until it intersects with the UPRR (N185-N175-N169-N81). The alignment**
15 **then continues northwest, parallel to the UPRR within a ½ mile corridor on each**
16 **side of the alignment centerline of the UPRR, until it converges with the Magma**
17 **Railroad at N45, within a 1,000 foot wide corridor, to the proposed SEV-SRP RS-22**
18 **substation (N44).**

19 Additionally, the following condition is hereby adopted as Decision No. 68093, Condition 31
20 to ensure that no party is negatively impacted within the expanded corridor.

21 **31. For the segment of the approved corridor lying between Node 81/UPRR on**
22 **the North and a point approximately 10,800 feet south along the north bank of the**
23 **Gila River, the approved corridor shall be 1,000 feet along the centerline unless by**
24 **November 1, 2006, Pulte Home Corporation, Vanguard Properties, the State Land**
25 **Department, SRP, and the Town of Florence agree on a specific alignment within**
26 **the wider corridor approved by the Commission. The alignment shall not interfere**
27 **with the Applicants' proposed crossing of the Gila River.**

28 **The Commission further finds and concludes that the amendment of Decision No. 68093**
as described herein is in the public interest in balancing the need for the Project with its impact
on the environment and ecology of the state.

IT IS THEREFORE ORDERED that Decision No. 68093 is hereby amended on rehearing as provided herein.

ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. MCNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2005.

BRIAN C. MCNEIL
Executive Secretary

DISSENT: _____

DISSENT: _____